

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

TERRANCE WILSON

Defendant.

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) No. 4:15CR441CDP(NCC)
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DEFENDANT TERRANCE WILSON'S SUPPLEMENTAL MOTION TO DISMISS

COMES NOW defendant Terrance Wilson by and through counsel, and incorporates by reference all arguments made in his previously filed Motion to Dismiss and Motion for a Bill of Particulars. Defendant supplements the Motion to Dismiss with the following:

1. On September 1, 2016 the United States Magistrate filed an Order setting deadlines for the filing of motions. The defendant was given until October 31, 2016 to file motions.

2. The government was given until December 5, 2016 to reply to such motions. In footnote number 2, the Order notes "Also as previously ordered, if the Government fails to respond to an argument or issue raised by a Defendant, the Court will find that the Government has confessed the issue in favor of that defendant."

3. The government failed to respond to defendant's Motion for a Bill of Particulars and Motion to Dismiss by the date ordered by the Court. Therefore, by the Court's own Order, the government has confessed defendant's motions.

4. Defendant moves the Court to enter an order dismissing the Indictment against defendant for the government's failure to comply with the Court's Order.

WHEREFORE, for the reasons set forth above, counsel moves the Court to dismiss the Indictment.

Respectfully submitted,

/s/Kevin C. Curran
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Dean Hoag, Assistant United States Attorney.

/s/Kevin C. Curran
KEVIN C. CURRAN
First Assistant Federal Public Defender